

POLICY AND PROCEDURE

631.60 PREMISES ENTRY

Index: Title; Arrest Warrants; Entry, Emergency; Pursuit, Hot; Search and Seizure; Warrants

Refer: ORS 133.033 Peace Officer; Community Caretaking Functions
ORS 133.140 Content and Form of Warrant
ORS 133.235 Arrest by a Peace Officer; Procedure
ORS 133.535 Permissible Objects of Search and Seizure
ORS 133.575 Execution of Warrant
DIR 720.00 SERT and HNT Use

PROCEDURE (631.60)

Search Warrants

Sworn members may use force to break into a premise to execute a search warrant if, after notice of his/her authority and purpose, he/she are refused admittance.

Arrest Warrants (631.60)

Sworn members may use force to break into a premise to execute an arrest warrant only when all of the following conditions exist:

- a. The member has reason to believe that the premise is the residence of the subject sought in the warrant and;
- b. The member has probable cause (PC) to believe the person sought by the warrant is currently within the premise and;
- c. If, after notice of his/her authority and purpose, he/she are refused admittance.

Emergency Entries (631.60)

- a. Under ORS 133.033, any sworn member may make an emergency entry of any premise, without the consent of the person in possession or entitled to possession thereof, if they have reasonable basis for believing the entry into the premise is required to:
 1. Prevent serious harm to any person or property.
 2. Render aid to injured or ill persons.
 3. Locate missing persons.
 4. Assist persons who are mentally incompetent/unable to care for themselves, are unaccompanied by a competent party, and may be in a situation where their welfare is at risk.

Member Responsibilities (631.60)

- a. Prior to making an emergency entry to a premise, absent exigent circumstances, members will notify a supervisor of the circumstances justifying the need for an emergency entry.

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- b. Members making an emergency entrance into a premise must write the appropriate report(s) explaining the justification for his/her actions.
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Exhibit 2
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